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Almost everyone sues over a dirty otoscope

By Michael Hedges
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One man sued a large computer company because, he said, it was installing devices in airline seats to brainwash passengers.

A woman sued a hairdresser for \$40,000 because she said he left chemicals on her head too long during a permanent-wave treatment. Another man sought \$100,000 for damages suffered, in part, because a drugstore put fruit and nut bars on sale.

Still another plaintiff sought relief from a dirty otoscope.

In federal and city courts in the District, suits can be filed without cost, under some circumstances, and without their merits being prejudged by officers of the court.

Some are, well, weird. Others are merely strange. They all seek redress from an imaginative variety of perceived conspiracies and difficulties. Together, they give the term "the litigious society" new meaning.

One plaintiff, obviously claiming injury of cosmic proportions, sought to sue "the people of the Planet Earth." He did not identify his home planet, or what precisely all Earthlings had done to warrant being dragged into what would have to be a very large federal court room.

An Alexandria man sued U.S. Surgeon General C. Everett Coop in U.S. District Court to get the following information: "The problems and symptoms caused by putting a dirty otoscope in a person's ear. The medical reason for a person to need a dirty otoscope in the ear."

Often complaints focus on agents of the federal government who are said to be out to get private citizens.

One man filed suit in U.S. District Court to force an end to "CIA covert operations against my person." The Central Intelligence Agency's motive for harassing the man apparently was a lawsuit he filed against the Air Force in 1957, claiming an injury while in the service.

His evidence that the CIA was stalking him for nearly three decades seemed less than irrefutable. As he walked through the Washington Greyhound Bus Station at 3 a.m. one May morning, someone yelled, "Hit the door and keep on rolling!"

In a postscript, as if sensing the

judge might not be overwhelmed by the "proof" in the body of the suit, the plaintiff added, "At 9:45 a.m., five pictures were taken of me walking on L Street near Continental!"

One plaintiff says he has uncovered a large conspiracy to deprive the poor of Washington of their meager funds. In a recent lawsuit, he asked the federal court to award him \$100,000 in damages for this persistent harassment.

In his complaint, filed in D.C. Superior Court, he described how, when he visited a drugstore owned by one of the area's largest chains, a saleswoman told him disposable razors were 2 for 99 cents. But he discovered the actual price was 5 for 99 cents.

Even the Metro system was part of the conspiracy. He boarded a bus, telling the driver to take him to Virginia. Instead he was let out in front of the same drug store where the sinister razor encounter occurred.

There's more: Drawn once more into the drugstore, he discovered that fruit and nut bars had been put on sale that very night, seducing him into spending his limited funds. He was forced to sleep on the street.

The circle of conspiracy was squared when he learned that the razors were not sharp. He was forced once more to return to the store, where a fracas erupted as he tried to buy a 25-cent comb.

Further, deponent knoweth not. Many of the suits do not get very far. U.S. District Judge John Pratt recently dismissed one by scrawling across the top, "complaint makes no sense." The suit that inspired that assessment:

"Federal agent supposing to know of fraud and duplication of a crime that wasn't committed. A real live crime of ATTEMPT MURDER was done and all information was withheld even by my parent (mom) and this crime was attempted on me. A commitment into a Mental Hospital without the consent of me was committed. The commitment was a act of unknown morals of the name that wasn't the real name of me. . . . A number of different armed robberies and thefts was committed."

Winston Saunders, who has worked in the civil case filing office of Superior Court for 30 years, said he used to keep copies of some of the more unusual suits when he began working in the office. But he soon

found that to be unnecessary. There was always a fresh supply.

"Most of them die a natural death," he said. If the person being sued bothers to petition the court to dismiss the suit as frivolous, that quickly happens, he said. If the defendant ignores the suit, and the plaintiff then seeks a judgment on those grounds, it has to be heard by a judge who will then toss the case out of court.

"Some of these people come here," he said. "To them these things — even though they are way out — are real, and they can talk very intelligently about them for hours."

A federal court clerk said a judge reviews the suits daily and quickly dismisses the more irrational ones as "frivolous" or "unintelligible."

Adding to the volume of suits filed is the stipulation that anyone willing to sign a form declaring pauper status can sue for free.

There are no rigid requirements. Some come in on dirty notebook paper, in the style of a rambling letter. One recent suit was addressed "dear judge."

Other petitioners have filed hundreds of suits, and reproduce the whereases, inasmuchses, and arcane Latin legalese as well (or as bad) as a K Street lawyer.

Court officer generally look on the strange lawsuits with this philosophy: For every thousand frivolous cases, one unsophisticated person brings a true injustice to light through the medium of open-suit filing.

Some psychologists say another purpose may be served. Dalmas Taylor, a psychologist at the University of Maryland, said filing a lawsuit could act as a safety valve for someone with pent up anger and frustration created by perceived persecution.

Dr. Taylor said the suits could not be cavalierly dismissed, as they sometimes reflect real persecutions that are either exaggerated or rendered more fantastic by the plaintiff, or written in an inarticulate fashion which causes them to be misunderstood. He said the suits that are genuine paranoid fantasies could also be cries for help.

"Twenty years ago, a large number of people on the street who are possibly unbalanced would have been in mental institutions," Mr. Taylor said, noting current psychiatric trends and a lack of funding have conspired to put some of these people out of institutions.

"Some of these people could hypothetically be making an extreme attempt to draw attention to themselves, to get protective custody," he said.